

# Memorandum



(Public Hearing 04-24-07)

Date: March 20, 2007

Agenda Item No. 5(H)

To: Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

From: George M. Burgess  
County Manager

Subject: Resolution extending temporary moratorium and directing the filing of certain zoning applications in the study area described in Resolution R-16-07

## Recommendation

It is recommended that the Board of County Commissioners adopt the proposed resolution extending the temporary moratorium and directing the filing of certain zoning applications in the study area described in Resolution R-16-07, to accomplish the purposes described in the Report on Comprehensive Zoning Analysis Conducted for Study Area in Southwest Miami-Dade County (Richmond Heights) as ordered by Resolution R-16-07 (the Report).

## Scope

This item will impact Commission District 9.

## Fiscal Impact/Funding Source

Should the Board's determination be that zoning hearing applications be filed to rezone all of the 16 parcels of land recommended for re-zoning in the Study (approximately 10 acres of land) the costs associated with such applications would be approximately \$8,600 for advertising and staff costs and an additional \$6,000 to cover the cost of direct mailing within a one-half mile radius of the properties. This fiscal impact will vary depending on which parcels are omitted by the Board from re-zoning, which parcels remain contiguous to one another, and what zoning classifications are requested to be considered in such a zoning hearing application. The zoning hearing function of the Department of Planning and Zoning is funded from private applicant user fees.

## Track Record/Monitor

This section is not applicable.

## Background

The Board of County Commissioners adopted Resolution R-16-07 which imposed a temporary moratorium and directed the County Manager to prepare a comprehensive report and recommendation relating to appropriate zoning districts for the study area described in R-16-07. The Report has been presented to this Board on March 20, 2007 and is hereby incorporated herein.

A handwritten signature in black ink, appearing to be "George M. Burgess", written over a horizontal line.

Assistant County Manager



# MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

DATE: April 24, 2007

FROM: Murray A. Greenberg  
County Attorney

SUBJECT: Agenda Item No. 5 (H)

Please note any items checked.

\_\_\_\_\_ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

\_\_\_\_\_ 6 weeks required between first reading and public hearing

\_\_\_\_\_ 4 weeks notification to municipal officials required prior to public hearing

\_\_\_\_\_ Decreases revenues or increases expenditures without balancing budget

\_\_\_\_\_ Budget required

\_\_\_\_\_ Statement of fiscal impact required

\_\_\_\_\_ Bid waiver requiring County Manager's written recommendation

\_\_\_\_\_ Ordinance creating a new board requires detailed County Manager's report for public hearing

\_\_\_\_\_ Housekeeping item (no policy decision required)

☒ No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 5 (H)

04-24-07

RESOLUTION NO. \_\_\_\_\_

RESOLUTION EXTENDING TEMPORARY  
MORATORIUM AND DIRECTING THE FILING OF  
CERTAIN ZONING APPLICATIONS IN THE STUDY  
AREA DESCRIBED IN RESOLUTION R-16-07

**WHEREAS**, on January 25, 2007, this Board adopted Resolution R-16-07 ordering a temporary moratorium on the issuance of building permits for non-residential structures and/or uses for the study area described in that Resolution, finding that a detailed comprehensive zoning analysis of the study area was reasonably necessary to determine the probability of detriment to the character of the study area by the continued application of the existing zoning districts, and directing the County Manager to prepare a comprehensive report and recommendation relating to appropriate zoning districts for the study area as soon as reasonably possible within a one hundred twenty (120) day period; and

**WHEREAS**, the County Manager's report titled "Report on Comprehensive Zoning Analysis Conducted for Study Area in Southwest Miami-Dade County (Richmond Heights) as ordered by Resolution R-16-07" (the "Report") has been presented to and reviewed by this Board,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board hereby orders the County Manager, consistent with the recommendations contained in the Report, to direct zoning applications be filed for certain identified properties within the

study area; and that this Board hereby orders the extension of the temporary moratorium on the issuance of building permits for non-residential structures and/or uses for the study area described in Resolution R-16-07 until final action has been taken on all zoning applications filed pursuant to the instant resolution, including any judicial challenges to any such application, or until modified by this Board after public hearing.

The foregoing resolution was offered by Commissioner ,  
who moved its adoption. The motion was seconded by Commissioner  
and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrian D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 24th day of April, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Jay W. Williams